## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA STATESVILLE DIVISION CASE NO. 5:20-CV-058-DCK

MARY H. RICH,	)	
Plaintiff,	)	
v.	)	<u>ORDER</u>
KILOLO KIJAKAZI,	)	
Acting Commissioner Of Social Security,	)	
Defendant.	)	

THIS MATTER IS BEFORE THE COURT on the "Joint Motion For Reversal And Remand Pursuant To Sentence Four of 42 U.S.C. § 405(g) and 1383(c)(3)" (Document No. 27) filed March 14, 2022. The parties have consented to Magistrate Judge jurisdiction pursuant to 28 U.S.C. § 636(c), and immediate review is appropriate. Having carefully considered the motion and the record, and noting consent of the parties, the undersigned will grant the motion.

Based on the parties' agreement and applicable authority, the Court will direct that the Commissioner's decision be reversed pursuant to 42 U.S.C. § 405(g) and that this matter be remanded to the Commissioner for further proceedings. <u>See Shalala v. Schaefer</u>, 509 U.S. 292 (1993); Melkonyan v. Sullivan, 501 U.S. 89 (1991).

Sentence four of 42 U.S.C. § 405(g) provides, in pertinent part, that "[t]he court shall have power to enter, upon the pleadings and transcript of the record, a judgment affirming, modifying, or reversing the decision of the Commissioner of Social Security, with or without remanding the cause for a rehearing." The parties here now jointly move that this matter be remanded "for further administrative proceedings that will result in an award of benefits." (Document No. 27).

IT IS, THEREFORE, ORDERED that the "Joint Motion For Reversal And Remand Pursuant To Sentence Four of 42 U.S.C. § 405(g) and 1383(c)(3)" (Document No. 27) is GRANTED.

IT IS FURTHER ORDERED that the Clerk of the Court shall enter a separate Judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure and that this matter be **CLOSED**.

SO ORDERED.

Signed: March 14, 2022

David C. Keesler

United States Magistrate Judge